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## Minutes of MAYOR AND COUNCIL Meeting

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Approved by Mayor and Council  
on May 2, 2006

Date of Meeting: April 4, 2006

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:47 p.m. on Tuesday, April 4, 2006 all members having been notified of the time and place thereof.

### 1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

José J. Ibarra	Council Member Ward 1
Carol W. West	Council Member Ward 2
Karin Uhlich	Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Vice Mayor, Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent

None

Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Kathleen S. Detrick	City Clerk
Mike Letcher	Deputy City Manager

City Clerk Note: During the meeting of the Board of Commissioners of the Public Housing Authority, which took place just prior to this meeting, Kathleen S. Detrick, City Clerk, announced Gabriela Rojas, interpreter, would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

## **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was given by Dr. Carolyn Compton, Women Ministries of the Desert, after which the pledge of allegiance was presented by the Friends of the Women Ministries of the Desert.

Presentations:

- a. Mayor Walkup proclaimed the month of April 2006 to be Fair Housing Month. Richard Rhey was present to accept the proclamation.

## **3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 164, dated April 4, 2006 would be received into and made a part of the record. He also announced this was the time scheduled to allow members of the Council to report on current events and asked if there were any reports.

- a. Council Member Uhlich reminded the community that on April 5, 2006 Ward 3, Pima County Supervisor Sharon Bronson and Pascua Yaqui Tribe Chairwoman Herminia Frias would be cosponsoring a public forum at the Northwest Neighborhood Center concerning the Regional Transportation Plan. Council Member Uhlich also acknowledged the freshman class of Amphi High School. Over four hundred students participated in a 'day of service' throughout Ward 3 and the rest of the City.
- b. Council Member West thanked the people who cleaned up Broadway Boulevard between Houghton and Harrison Road. She stated that on April 5, 2006 there would be an Alternative Fuels Town Hall and that Ward 2 would be holding their fifteenth landfill tour on April 8, 2006. Council Member West also announced that three women from Kenya would be arriving in Tucson through the Global Democracy Program to spend a week learning about American Government.
- c. Vice Mayor Leal thanked the Council Members who had contributed to the One Hundred Club last week. He said that the One Hundred Club helped injured uniformed officers and their families and he was proud of the organization and his colleagues for contributing to the club.

## **4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS**

Mayor Walkup announced City Manager's communication number 165, dated April 4, 2006, would be received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

There was no report.

## 5. LIQUOR LICENSE APPLICATIONS

a. Report from City Manager APRIL4-06-155 CITY-WIDE

b. Liquor License Applications

### Person Transfer

1. El Parador Tucson, Ward 6  
2744 East Broadway  
Applicant: John Edward Jacob Sr.  
Series 06, City 12-06  
Action must be taken by: April 14, 2006  
Staff has indicated the applicant is in compliance with city requirements.

### Person/Location Transfer

2. Sushi Ten Japanese Restaurant, Ward 6  
4500 E. Speedway Blvd. #1  
Applicant: Ramon Rafael Tovar  
Series 06, City 13-06  
Action must be taken by: April 16, 2006  
Staff has indicated the applicant is in compliance with city requirements.

c. Special Event

1. Santa Cruz Parish, Ward 5  
1220 S. 6th Ave.  
Applicant: Rebecca M. Luján  
City T14-06  
Date of Event: April 29 & 30, 2006  
51st Fiesta de la Familia  
Staff has indicated the applicant is in compliance with city requirements.
2. St. Joseph Parish, Ward 6  
215 S. Craycroft  
Applicant: Mathias Peter Wirtz  
City T15-06  
Date of Event: April 28 & 29, 2006  
Social Event  
Staff has indicated the applicant is in compliance with city requirements.  
Public Opinion: Support Filed

3. Carondelet Foundation Inc. (dba The Centurions), Ward 5  
2500 E. Ajo Way  
Applicant: Scott W. Carnes  
City T16-06  
Date of Event: May 20, 2006  
Fundraising Event to Benefit Carondelet St. Mary's Hospital  
Staff has indicated the applicant is in compliance with city requirements.

It was moved by Council Member Trasoff, duly seconded, and carried by a voice vote of 7 to 0, to forward liquor license applications 5b1, 5b2 and 5c1 through 5c3 to the Arizona State Liquor Board with a recommendation for approval.

## **6. CONSENT AGENDA – ITEMS A THROUGH L**

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda Items would be received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

### **A. REAL PROPERTY: RIGHT-OF-WAY ACQUISITION – VALENCIA ROAD IMPROVEMENTS PROJECT**

1. Report from City Manager APRIL4-06-158 WARD 4
2. Resolution No. 20310 relating to real property; authorizing and approving the execution of a right-of-way agreement with the Arizona State Land Department for the acquisition of right-of-way for the extension of a portion of Valencia Road from Old Spanish Trail to Houghton Road; and declaring an emergency.

### **B. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO TUCSON CENTERS FOR WOMEN AND CHILDREN**

1. Report from City Manager APRIL4-06-166 WARD 2
2. Resolution No. 20312 relating to Finance; approving and authorizing the allocation of six hundred dollars (\$600) from the Community Support Fund, Account No. 001-183-1898-268, to Tucson Centers for Women and Children to support its community fundraiser; and declaring an emergency.

This is a request by Council Member West. Allocation of funds is as follows: Council Member West \$600.00.

Item B was considered separately at the request of Council Member Scott.

- C. CONTRACT: WITH THE STATE OF ARIZONA, COMMERCE AND ECONOMIC DEVELOPMENT COMMISSION FOR THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION TECHGYRLS PROGRAM
1. Report from City Manager APRIL4-06-167 CITY-WIDE
  2. Resolution No. 20313 relating to economic development; approving and authorizing a contract between the City of Tucson and Arizona Department of Commerce, Commerce and Economic Development Commission (CEDC) for the Young Women's Christian Association (YWCA) to establish TechGyrls; and declaring an emergency.
- D. REAL PROPERTY: AUTHORIZATION TO ACQUIRE PROPERTY LOCATED IN THE VICINITY OF SANDARIO AND SNYDER HILL ROADS FOR THE TUCSON WATER SAVSARP AREA
1. Report from City Manager APRIL4-06-168 OUTSIDE CITY LIMITS
  2. Resolution No. 20314 relating to real property; authorizing the City Manager to acquire by negotiation, and the City Attorney to condemn if necessary certain real property located north of Snyder Hill Road and west of Sandario Road to consolidate City ownership of land within the Southern Avra Valley Storage and Recovery Project (SAVSARP) Area; and declaring an emergency.
- E. TRANSPORTATION: RENAMING WEISER LOCK DRIVE TO PELLA DRIVE
1. Report from City Manager APRIL4-06-169 WARD 1
  2. Ordinance No. 10266 relating to streets; changing the name of Weiser Lock Drive to Pella Drive; and declaring an emergency.
- F. REAL PROPERTY: LEASE AGREEMENT FOR PARKS AND RECREATION DISTRICT OFFICES LOCATED AT 8257 EAST BROADWAY AND 4208 SOUTH SANTA RITA
1. Report from City Manager APRIL4-06-163 WARDS 2 AND 5
  2. Resolution No. 20315 relating to real property; authorizing and approving the lease by the City of Tucson of 7,7339 square feet of office space at 8257 East Broadway, Tucson, Arizona from Redyns Development, L.L.C., and 7,826 square feet of office space at 4208 South Santa Rita, Tucson, Arizona, from Rush Hinsdale Trust; and declaring an emergency.

G. FINANCE: SALE OF WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 2007

1. Report from City Manager APRIL4-06-159 CITY-WIDE
2. Ordinance No. 10261 relating to finance; authorizing the issuance of City of Tucson, Arizona, Water System Revenue Refunding Bonds, Series 2007, in a principal amount not to exceed \$35,000,000; providing for the sale thereof, providing for the application of the proceeds therefrom to the refunding of the Bonds to be refunded and providing for the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Bonds; authorizing the execution and delivery of a Depository Trust Agreement with respect to the Bonds to be refunded; authorizing the execution and delivery of a Forward Delivery Bond Purchase Agreement and a continuing disclosure undertaking with regard to the Bonds; appointing a Bond Registrar, Transfer Agent and Paying Agent; authorizing the preparation and delivery of an official statement with respect to the Bonds and the supplementation of the official statement in connection with the delivery of the Bonds; and declaring an emergency.

H. FINANCE: SALE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007

1. Report from City Manager APRIL4-06-160 CITY-WIDE
2. Ordinance No. 10262 relating to finance; authorizing the issuance and sale of City of Tucson, Arizona, General Obligation Refunding Bonds, Series 2007, in a principal amount not to exceed \$30,000,000; providing for the levy and collection of *Ad Valorem* taxes for the payment of the principal of and interest on the Series 2007 Refunding Bonds; providing for the sale thereof; providing for the application of the proceeds therefrom to the refunding of the Bonds to be refunded and providing for the payment of principal and interest thereon; providing certain terms, covenants and conditions relating to the Series 2007 Refunding Bonds; authorizing the execution and delivery of a Depository Trust Agreement and appointing a Depository Trustee with respect to the Bonds to be refunded; authorizing the execution and delivery of a Forward Delivery Bond Purchase Agreement and continuing disclosure undertaking with regard to the Series 2007 Refunding Bonds; appointing a Bond Registrar, Transfer Agent and Paying Agent for the Series 2007 Refunding Bonds; authorizing the preparation and delivery of an official statement and the supplementation of the official statement with respect to the Series 2007 Refunding Bonds; and declaring an emergency.

- I. MEMORANDUM OF UNDERSTANDING: WITH PIMA COUNTY FOR THE 2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
  - 1. Report from City Manager APRIL4-06-170 CITY-WIDE
  - 2. Resolution No. 20316 relating to law enforcement; approving and authorizing the Memorandum of Understanding between the City of Tucson and Pima County for the 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award; and declaring an emergency.
- J. ASSURANCE AGREEMENT: (S04-178) PLACITA ESCONDIDA SUBDIVISION, A COHOUSING NEIGHBORHOOD CONDOMINIUM PROJECT, UNITS 1 TO 204, BUILDINGS 18, 19, 20 AND COMMON AREAS "A", "B", "C" AND "D"
  - 1. Report from City Manager APRIL4-06-153 WARD 3
  - 2. Resolution No. 20317 relating to planning: authorizing the Mayor to execute an Assurance Agreement securing the completion of improvements required in connection with the approval in Case No. S04-178 of a final plat for the Placita Escondida Subdivision, a cohousing neighborhood condominium project, Units 1 to 204, Buildings 18 to 20 and Common Areas "A" – "D"; and declaring an emergency.
- K. FINAL PLAT: (S04-178) PLACITA ESCONDIDA SUBDIVISION, A COHOUSING NEIGHBORHOOD CONDOMINIUM PROJECT, UNITS 1 TO 204, BUILDINGS 18, 19, 20 AND COMMON AREAS "A", "B", "C" AND "D"
  - 1. Report from City Manager APRIL4-06-157 WARD 3
  - 2. City Manager recommends that, after approval of the assurance agreement, the Mayor and Council approve the final plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.
- L. APPROVAL OF MINUTES
  - 1. Report from City Manager APRIL4-06-171 CITY-WIDE
  - 2. Approval of minutes for the regular meeting of the Mayor and Council held on March 7, 2006.

It was moved by Council Member Ibarra, duly seconded, that Consent Agenda Items A through L, with the exception of item B, which would be considered separately, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;  
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Items A through L, with the exception of Item B, were declared passed and adopted by a roll call vote of 7 to 0.

## **6. CONSENT AGENDA – ITEMS A THROUGH L**

### **B. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO TUCSON CENTERS FOR WOMEN AND CHILDREN**

1. Report from City Manager APRIL4-06-166 WARD 2
2. Resolution No. 20312 relating to Finance; approving and authorizing the allocation of six hundred dollars (\$600) from the Community Support Fund, Account No. 001-183-1898-268, to Tucson Centers for Women and Children to support its community fundraiser; and declaring an emergency.

This is a request by Council Member West. Allocation of funds was as follows:  
Council Member West \$600.00.

Council Member Scott stated Ward 4 would donate two hundred dollars.

Vice Mayor Leal stated Ward 5 would donate two hundred dollars.

Council Member Uhlich stated Ward 3 would donate two hundred dollars.

Council Member Ibarra stated Ward 1 would donate two hundred dollars.

Council Member Trasoff stated Ward 6 would donate one hundred dollars.

Mayor Walkup stated he would donate two hundred dollars.

Council Member West thanked everyone for joining in.



Kathleen S. Detrick, City Clerk stated the total was now seventeen hundred dollars.

It was moved by Council Member Scott, duly seconded, that Consent Agenda Item B, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was further discussion. Upon hearing none, he asked for a roll call vote.

Ms. Detrick clarified that the motion was to pass and adopt Item B with the contributions now at one thousand seven hundred dollars.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Uhlich, Scott, and Trasoff;  
Vice Mayor Leal and Mayor Walkup

Nay: None

Consent Agenda Item B was declared passed and adopted by a roll call vote of 7 to 0.

## **7. CALL TO THE AUDIENCE**

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations.

- a. Colleen Dugan spoke in support for sending the elephants to the Sanctuary in Tennessee.
- b. Sean Sartin spoke about the need for a downtown skate park planned for Santa Rita Park and that it would be beneficial to keep kids out of trouble and off business property. He stated it had been over seven years since this issue was first brought before the Council and that Parks and Recreation should use the money from the planned Zoo expansion and use it to build the skate park instead.
- c. Marla K. Dick spoke in favor of the elephants remaining at the Reid Park Zoo. She stated the elephants had been together for a long time and it would be to their disadvantage to separate them.
- d. Michael Toney spoke regarding Senator McCain and Ray Carroll.

- e. Anita Goldberg introduced a group of children who wanted to support the elephants staying at the Reid Park Zoo. Kendall Hanson, 12-year old, spoke in favor of keeping the elephants at the Zoo. Two three-year old girls donated a gallon container full on money they collected to keep the elephants at the Zoo. Also, a Girl Scout Troop from Sierra Vista submitted petitions in support of keeping the elephants at the Zoo.
- f. Mike Carter, Executive Director of the Tucson Zoological Society spoke in support of keeping the elephants at Reid Park Zoo. He presented petitions containing more than seventeen thousand signatures of support and spoke about a postcard campaign that had yielded another thirty one hundred statements of support. He also reiterated the Zoological Society's pledge to provide 6.25 million towards the African expansion and the Conservation Learning Center.
- g. Darlene Bradstad, a wildlife rehabilitator at Forever Wild Animal Rehabilitation Center, spoke in support of keeping the elephants at Reid Park Zoo.
- h. Chantelle Khambhoyn, a volunteer at Forever Wild Rehabilitation Center, said she was from Bombay, India and she had been exposed to elephants in the wild there. She said that the same head swaying movement that the elephants exhibit at the zoo, was also displayed by elephants in the wild.
- i. Nikia Fico questioned the validity of the petitions just submitted, and stated that the City of Tucson's Website gave misleading information. She stated that the website suggested that the elephants were doing well, when in reality they needed to be moved to the Sanctuary in Tennessee.

## **8. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS**

Mayor Walkup announced City Manager's communication number 154, dated April 4, 2006 would be received into and made a part of the record. He asked if there were any personal appointments to be made.

Council Member Uhlich announced the reappointment of Frank Boyle to the Citizens Water Advisory Committee.

**9. ADJOURNMENT:** 6:30 p.m.

Mayor Walkup announced the Mayor and Council would stand adjourned until its next regularly scheduled meeting to be held on Tuesday, April 11, 2006, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

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MAYOR

ATTEST:

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CITY CLERK

**CERTIFICATE OF AUTHENTICITY**

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 4<sup>th</sup> day of April 2006, and do hereby certify that it is an accurate transcription.

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DEPUTY CITY CLERK

KSD:bt/rg